

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

JESSE RODRIGUEZ, on behalf of himself and  
all others similarly situated,

Plaintiff,

v.

EVERGREEN PROFESSIONAL  
RECOVERIES, INC.,

Defendant.

CASE NO. C19-0184-JCC

ORDER

This matter comes before the Court on the parties' supplemental brief requesting that the Court approve supplemental notice to the class (Dkt. No. 57). The Court set out the factual and legal background relevant to this order in a previous order and does not repeat it here. (*See* Dkt. No. 54.)

Before finally approving a class action settlement, "[t]he court must direct notice in a reasonable manner to all class members who would be bound by the proposal." Fed. R. Civ. P. 23(e)(1)(B). Class counsel must also provide notice of an attorney fee motion "to class members in a reasonable manner." Fed. R. Civ. P. 23(h)(1). "Notice is satisfactory if it 'generally describes the terms of the settlement in sufficient detail to alert those with adverse viewpoints to investigate and to come forward and be heard.'" *Churchill Vill., L.L.C. v. Gen. Elec.*, 361 F.3d 566, 575 (9th Cir. 2004) (quoting *Mendoza v. Tucson Sch. Dist. No. 1*, 623 F.2d 1338, 1352 (9th

1 Cir. 1980)). “Settlement notices are supposed to present information about a proposed settlement  
2 neutrally, simply, and understandably.” *Rodriguez v. W. Publ’g Corp.*, 563 F.3d 948, 962 (9th  
3 Cir. 2009).

4 The parties’ proposed notice meets these standards, except it includes only the  
5 supplemental brief regarding attorney fees and not the initial motion and supporting materials at  
6 Docket Number 53. (*See* Dkt. No. 57-1.) The notice must also include the fee motion itself and  
7 the supporting materials at Docket Number 53. *See* Fed. R. Civ. P. 23(h)(1) (class counsel must  
8 direct notice of its attorney fee motion “to class members in a reasonable manner”). With that  
9 change, the Court APPROVES the proposed supplemental class notice and ORDERS the parties  
10 to provide the supplemental notice and supporting documentation to the class members within 14  
11 days of the date of this order.

12 DATED this 22nd day of March 2021.

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A handwritten signature in black ink, reading "John C. Coughenour", is written over a horizontal line.

John C. Coughenour  
UNITED STATES DISTRICT JUDGE